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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/693,290

10/23/2003

Christopher J. Kaler

13768.302.1.1

4141

47973 7590 03/28/2008
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EXAMINER

FIELDS, COURTNEY D

ART UNIT

PAPER NUMBER

2137

MAIL DATE

DELIVERY MODE

03/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/693,290	Applicant(s) KALER ET AL.	
	Examiner COURTNEY D. FIELDS	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20, 22, 23, 25-27, 37, 39, 40, 42, 44-50, 52-56, 58-62, 64-68, 70 and 71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) -20, 22-23, 25-27, 37, 39-40, 42, 44-50, 52-55, 58-62, 64-68, and 70-71 is/are allowed.
- 6) ☒ Claim(s) 56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03 October 2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 21, 24, 28-36, 38, 41, 43, 51, 57, 63, and 69 have been cancelled.
2. Claims 1, 23, 37, 44, 58, 65, 68, and 70 have been amended.
3. Claims 1-20, 22-23, 25-27, 37, 39-40, 42, 44-50, 52-56, 58-62, 64-68, and 70-71 are pending.

Information Disclosure Statement

4. The Information Disclosure Statement respectfully submitted on 03 October 2007 has been considered by the Examiner.

Response to Arguments

5. Applicant's arguments with respect to claim 56 have been considered but are moot in view of the new ground(s) of rejection, Wyman (US Patent No. 5,438,508).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 56 is rejected under 35 U.S.C. 102(e) as being anticipated by Wyman (US Patent No. 5,438,508).

Referring to the rejection of claim 56, Maruyama et al. discloses in a network environment that includes a plurality of computing systems capable of communicating

using electronic messaging, a method for a source computing system constructing an electronic message, the computer program product comprising one or more physical computer-readable storage media having stored thereon the following:

a first software module that, when executed by one of more processors, is adapted to encode a credential that identifies the source computing device, wherein the credential is a license, (See Column 32, lines 44-49)

a second software module that, when executed by one or more processors, is adapted to include the credential in a header portion of the electronic message, (See Column 32, lines 44-49 and Column 35, lines 26-29)

a third software that, when executed by one of more processors, is adapted to include, in the header portion, an identification of an encoding format of the credential (See Column 32, lines 44-49 and 53-60)

and a fourth software module that, when executed by one of more processors, is adapted to include, in the header portion, an identification type of the credential (See Column 32, lines 44-49 and 53-60)

Allowable Subject Matter

8. Claims 1-20, 22-23, 25-27, 37, 39-40, 42, 44-50, 52-55, 58-62, 64-68, and 70-71 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to COURTNEY D. FIELDS whose telephone number is

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(571)272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Courtney D. Fields/
Examiner, Art Unit 2137
March 26, 2008

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2137